

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON APPROPRIATIONS

Call to Order: By **CHAIRMAN STEVE VICK**, on March 13, 2001 at 3:00 P.M., in Room 102 Capitol.

ROLL CALL

Members Present:

Rep. Steve Vick, Chairman (R)
Rep. Dave Lewis, Vice Chairman (R)
Rep. Matt McCann, Vice Chairman (D)
Rep. John Brueggeman (R)
Rep. Rosalie (Rosie) Buzzas (D)
Rep. Tim Callahan (D)
Rep. Edith Clark (R)
Rep. Bob Davies (R)
Rep. Stanley Fisher (R)
Rep. Dick Haines (R)
Rep. Joey Jayne (D)
Rep. Dave Kasten (R)
Rep. Christine Kaufmann (D)
Rep. Monica Lindeen (D)
Rep. Jeff Pattison (R)
Rep. Art Peterson (R)
Rep. Joe Tropila (D)
Rep. John Witt (R)

Members Excused: None.

Members Absent: None.

Staff Present: Paula Broadhurst, Committee Secretary
Taryn Purdy, Legislative Branch

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 615, 3/9/01, HB 577, 3/9/01
HB 613, 3/9/01
Executive Action: HB 613, HB 615

HEARING ON HB 615

Sponsor: REP. DAVE LEWIS, HD 55, HELENA

Proponents: None

Opponents: None

Informational Witnesses: None

Opening Statement by Sponsor:

REP. DAVE LEWIS, HD 55, HELENA said this is a committee bill that was requested by the appropriations subcommittee. This is a request to take money out of the budget and in order to do that, the number of the statute has to be changed. HB 615 will reduce the required Maintenance of Effort for programs funded with the temporary assistance for needy families (TANF) block grant from 77% to 75%, amending section 53-4-211. Because we have made our goals as far as the work participation rates required by TANF, we could lower that down to the minimum of 75%. Doing that would save \$400,000 a year for the general fund. He said that past history gave no reason for being unable to maintain the current success we are having with our work program.

Proponents' Testimony: None

Opponents' Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

REP. LEWIS asked for approval of HB 615.

EXECUTIVE ACTION ON HB 615

Motion: REP. LEWIS moved that HB 615 DO PASS.

Discussion:

REP. JAYNE asked if there will be less people able to qualify or if it has to do with funding. REP. LEWIS said it is a funding issue. Because we are meeting our participation rates for the work requirement under TANF, we need to keep our Maintenance of Effort at 75% rather than the 77% that was in the statute previously. He deferred to **Hank Hudson, Department of Public Health and Human Services (DPHHS)** for an explanation. **Hank Hudson**

said they asked for 77% at the beginning of the federal block grant because it is not a very precise procedure in determining how much Maintenance of Effort you will have. It depends on whether expenditures come in as anticipated. Now we have 3-4 years of experience with that and can be more precise. They asked for the 77% as a cushion until they got a feel for how they would manage the block grant.

Motion/Vote: REP. LEWIS moved that HB 615 DO PASS. Motion carried unanimously.

HEARING ON HB 577

Sponsor: REP. MATT MCCANN, HD 92, HARLEM

Proponents: Larry Fasbender, Director Dept of Justice
Gene Huntington, Department of Justice
Steve Tesinsky, Department of Justice
Rich Miller, Gaming Association
John Cadby, Montana Banker's Association
Steve Turkiewicz, Montana Auto Dealers

Opponents: None

Opening Statement by Sponsor:

REP. MATT MCCANN, HD 92, HARLEM said HB 577 creates an information technology system for the Department of Justice in the motor vehicle division and implements an automated accounting and reporting system for the gambling control division that was established in the 1999 session. The mechanism agreed upon to fund this bill is like a line of credit. It is a loan from the Board of Investments and there is a fee attached to the registration of vehicles to cover repayment of the loan. Page one, line 24 allows a debt limit of \$95 million. Page two, line eight tells how the Department of Justice is authorized to enter into contracts with the board of investments for an amount not to exceed \$20 million over ten years. The bill covers video gambling data collection units. They want to accelerate the pace of putting these machines into the gambling industries across the state and bring everyone up to speed a little faster. He said it is important that everyone is comfortable with the fee and the repayment process. He said it is an actual use fee.

Proponents' Testimony:

Larry Fasbender, Deputy Director Dept of Justice said this is an attempt to upgrade and provide better services by putting in an automated accounting system, by putting a gambling control system

in place more quickly, and by implementing the new computer upgrade for the Department of Motor Vehicles. The gambling control division's automated accounting and reporting system will track gambling machines and expenditures in those machines electronically. The motor vehicle division has a system that was put in back in the 1970s. It is not possible to use the two systems that are in place. One is for titling and registration and the other is the driver's license system, but they are not integrated. If a vehicle license check is run, they could find out who the car should be registered to and if the right plates are on the car, but they could not get any information about the driver. This would be a big jump forward as far as public safety is concerned. In addition, they have a system that is written in antiquated language and it is not possible to find people to maintain this system. A new system is needed if they are to keep pace with legislative changes, and this session there were 57 pieces of legislation introduced that modify that system. Every change requires considerable time and expense to reprogram and adapt even minor changes. They anticipate 24 hour on line vehicle registration will be available to address the problem of standing in line. The \$2 service fee they will add to all titles and registrations will raise sufficient funds to pay the debt service over the ten year life of the loan. The Governor's office has already approved the \$2 service fee that will be used to retire the debt on this loan. It was recognized this is a great service to the public, and the public safety aspect warranted the fee. Technical Amendment HB0577amd.03 was distributed, **EXHIBIT (aph57b01)**.

Gene Huntington, Administrator of the Gambling Control Division, Department of Justice handed out "Vehicle System Information Technology Loan information", **EXHIBIT (aph57b02)** and "Financing the Automated Accounting and Reporting System through the Board of Investments", **EXHIBIT (aph57b03)** and said he will explain the portion of the bill that deals with data collection units that are part of the dial up system that will be placed in each gambling establishment around the state. All gambling machines would be connected to a personal computer that is part of the system that will be developed. The personal computer will communicate with gambling control in Helena and allow data to be collected. The automated accounting and reporting system is better known as the dial up system. This system was recommended by the legislative auditor in 1994 when he did an audit of the collection of taxes. At that time he said that to do an adequate job of auditing the gambling machines would require 25 auditors or going to a centralized automated system that would aid in tax collection as well as some of the regulatory aspects. In 1999 the legislature provided general fund money to assist in paying the cost of the system. HB 2 gave a four year commitment of

\$380,000 and part of the financing was to pay for data collection servers that would be installed over a four year period. It would not be efficient to have this broken up into equal increments and take four years to distribute these around the state, so this bill is a financing mechanism. Using current level general fund that is in the base would give the ability to borrow money to match the work load we would have. The other aspect of this bill was that in recruiting volunteers they had a better response. There will be 300 more establishments volunteer than what they originally provided for. The current structure will allow continuing the current level service for \$235,000 out to 2006-2007 biennium. They would also have authority to borrow the additional funds needed to add those 300 units for the establishments that they expect to volunteer to be part of the system. That would allow equal treatment of all.

Steve Tesinsky, IT Administrator for the Information Technologies Division, Department of Justice said he will speak about funding and explain their capabilities to successfully implement a program of this size. He said they currently have over 60 years of combined experience in Department of Justice Information Systems. They will work closely with local and county governments, law enforcement officials, and ISD departments to come up with an acceptable solution. When he was with the Department of Revenue he was part of the Information Technology Division and got to participate with the POINT project. One of the things he brings to this project is observation of what that project did and did not do correctly. Department of Justice would like to provide a model of how these systems should be built, and they hope to do that through partnerships and having the legislature be part of this process, so they can see how large system development occurs. They are considering being their own primary contractor and not delegating responsibilities. ISD has put together a contract called an MIS Services Contract which each of the agencies are authorized to use in bringing in vendors on an hourly paid basis with competitive rates that have already been negotiated. They feel that if they absorb the risk management portion of the project and work with the vendors and their own staff, they can put together a project at considerable savings. They plan to look at what motor vehicle systems have been implemented in other states. They plan on using some of their industry partners such as banker's associations, and the AAMV (American Association of Motor Vehicles) whenever they can to get information about current practices so they can build a system for Montana and not start from scratch. They also intend to connect some of these systems very closely with their SABER system from an accounting point of view.

{Tape : 1; Side : B}

Rich Miller, Executive Director of the Gaming Association said they support the bill. He said that money spent here will save money in the long run. They have more volunteers for this system than they thought they would have. If they have to install it with only 70% of the volunteers, it is going to be more expensive to come back and do a follow up later. They anticipate out of pocket costs after the tax credit will be \$250-\$300 a machine. It will cost \$450-\$500 a machine to install them and he would like to be able to do it all at once.

John Cadby, Montana Banker's Association said the answer to processing things efficiently lies in electronics. The legislature authorized a partnership with the state motor vehicle division and the Montana Banker's Association. They are doing a research project that is called Electronic Access. They have a private investor that has kicked in \$1 million and three years of his labors to develop state of the art 24 hour electronic access. This would allow a dealer or a lender to do a lien search on a motor vehicle electronically and determine immediately before he takes a car in trade or makes a loan whether there are any hidden liens like a child support lien or a divorce decree lien. Searches, filings and releases will be done immediately once they finish the project. The antiquated state system does not have the ability to transmit information requests and communicate with the other computer. They are working through the American Association of Motor Vehicle Administrators so the other 49 states will be able to utilize this system when they get it up.

Steve Turkiewicz, Executive Vice President Montana Auto Dealers Association said it is impossible for the current antiquated system to provide the information people need. He said that the need is evident, the question is about funding. He said they have historically opposed fees because Montana motorists are already paying for this. They pay \$11.9 million per year in title and registration fees. The title and registration bureau gets back \$3.8 million to run the title and registration service. There is not money in the general fund to do this; it is not possible to give back the money that was already paid. They believe motorists will see the \$2 fee as a reasonable source of funding.

Opponents' Testimony: None

Questions from Committee Members and Responses:

REP. BUZZAS asked why the burden of this loan is going only on motor vehicle registration and none of it to the gambling industry because they are getting part of the benefit. **REP. MCCANN** said there will be a \$20 million line of credit and the

Department of Justice computer system will be using those dollars for title registration. The base budget of the Department of Justice has the dollars to address the gambling acceleration, so they will use those dollars to service the debt that would be incurred by accelerating. The authority already exists, see page one, line 24 to address the needs of the gaming issue. If you were to subtract 75 million from \$95 million, it is that \$20 million that the Department of Justice needs for registration.

REP. BUZZAS said didn't we have legislation that they were voluntarily coming onto the automated system. Didn't we also appropriate money then that is in the base budget? **REP. MCCANN** said that for five years there will be money in their base budget to address per biennium the addition of these computer systems and gaming establishments. **REP. BUZZAS** said she doesn't understand why they are in here if they are not somehow benefitting. **REP. MCCANN** said the reason they are in here is that they have had interest from the industry to accelerate and get everyone on board right away. The intent is to bring everyone on line, so the thought is to do it all at once because it is more efficient. Since we have the money established within the base budget for five years, the thought is to do it now.

VICE CHAIRMAN LEWIS referred to page two, section two, line 8 and explained the \$20 million will be paid off with the fee. On line 18 they want authority to borrow \$1.1 million and all they are pledging is their future general fund appropriations to pay off that loan. This is a two part deal; part two is for gambling.

REP. TROPILA asked if both systems would work off the same computer. **Larry Fasbender** said the driver's licensing and title registration work off one computer and the dial up will work off a completely separate system. The central system will be housed out on 11th Avenue. They currently have two different programs in driver's licensing and title registration, and plan to combine those to create efficiencies and be able to exchange data between the two systems. **REP. TROPILA** asked what the \$20 million covers.

Larry Fasbender said it is \$20 million for the motor vehicle division. The \$1.1 million is for the gambling control program.

REP. TROPILA asked if it will show whether the vehicle had been wrecked or re-built under the new registration system. **Larry Fasbender** said he was not sure. **Brenda Nordland, Motor Vehicle Division Attorney, Department of Justice** said yes, one of the functions of the system is that of branding titles for salvage or junk vehicles. The system will be built to match those needs.

REP. TROPILA asked if the bankers who do a search on the system will be paying a fee for finding liens against the vehicles.

Brenda Nordland said there is a lien fee associated with any

search. **REP. TROPILA** asked if the fees could be raised. **Brenda Nordland** said she would leave that up to the legislature.

VICE CHAIRMAN LEWIS asked if a general obligation issue that would require a 2/3 vote is a more common way of financing something like this. **Larry Fasbender** said the motor pool began this process by borrowing \$10 million through the INTERCAP loan program to finance the motor pool operation. Since they want to be their own prime contractor if possible, and work in phases, they think that in the long run it will work better to borrow the money only as needed. **REP. LEWIS** said you should be able to get lower rates by being tax exempt, this looks more expensive. Why didn't you go with a G. O. Bond? **Larry Fasbender** said they don't feel there will be a lot of difference. They were also concerned about raising the state debt; this has no effect on state debt.

REP. FISHER asked what assurances there were that this system would work. **Larry Fasbender** said they took a very close look at what happened with past systems and think a lot was due to learning experiences. He feels they have an excellent chance of putting something in place that really does work. The Department of Justice has an entirely new information system that went into place at the projected cost, was on time and works very well.

REP. PATTISON asked about the \$2.6 million for travel and lodging costs. **Larry Fasbender** referred to **Steve Tesinsky, Department of Justice** who replied that is an estimate based on the number of contract programmers and contract experts from other parts of the United States they will have to bring in to successfully do a project like this. That four year period of time includes 24 months of maturity after implementation. **REP. PATTISON** asked about the \$2 million added on top of that. **Steve Tesinsky** said the first thing they will do is research. Costs presented are an industry average and better options may be found than expected. The 10% tolerance on the spread sheet is for the entire project and is quite low for the industry. It was added because of the variables that exist in a four year large scale project. **REP. PATTISON** asked if electronic filing for renewals and licenses will be possible with this system and what will the cost savings be. **Steve Tesinsky** said they will collect requirements and try to cover everything in the new system and that capability has a high priority. That will be up to the user's gathering requirements and understanding what it will take to implement all those requirements.

{Tape : 2; Side : A}

VICE CHAIRMAN LEWIS said he is concerned about the \$2 fee and would like to explore other means of funding through user fees.

Closing by Sponsor:

REP. MCCANN commented on the initial work they did in Long Range Planning and how they approached this bill. If we are going to pass a large bill like this, it might be appropriate to put a committee in place to oversee it. The reason this needs to be done now is because the current system is out of date. Perhaps we can approach this with a segment per year. If we want to do this now, a \$5 million appropriation would make some sense. He said he knows we will be dealing with this at some point, whether it is now or later.

HEARING ON HB 613

Sponsor: **REP. STEVE VICK, HD 31, BELGRADE**

Proponents: **Brian McCullough, Department of Justice**

Opponents: **None**

Opening Statement by Sponsor:

REP. STEVE VICK, HD 31, BELGRADE said HB 613 will create a committee to review the budget development process used to create the biennial budget request for personal services and to recommend a more efficient process for the development of the personal services budget, requiring the committee to make recommendations to the legislative finance committee. He said he wants to make sure that when we budget for personal services in state government we are budgeting for people who exist, to pay their salaries and benefits and it is not for anything else. The intent is to make sure it is an accurate picture, not to reduce it or raise it.

Proponents' Testimony:

Brian McCullough, Legislative Fiscal Division said there is a lot more data available now to verify information and now is a good time to review this process of developing budgets. Are we doing this in the most efficient manner possible for both the legislature and state agencies? Have we learned more about how this process works so we are giving ourselves the best opportunity to analyze the information and distribute the funds to the programs legislators are interested in? Representation on this task force needs to be from the Legislative fiscal division, from the budget office, from the agencies and from the legislature. Our current environment is such that these systems are all inter-related, used by everyone involved in the process,

and therefore input is needed from everyone. One user can impact another user in the system.

Opponents' Testimony: None

Questions from Committee Members and Responses:

REP. BUZZAS asked why this committee got the bill before appropriations did, since it had no appropriation in it. **REP. VICK** said that is because it deals with the budget development process. **REP. BUZZAS** asked if a statute was necessary. Why couldn't they just put a committee together? **REP. VICK** said it could be done either with a bill or with a resolution. If this passes, the process will be that it will be prioritized with all the other studies. The makeup of the committee needs to be outlined in a bill.

REP. LINDEEN said it seems we have a process put in place two years ago for doing studies. The bill this morning created an entirely different committee than we normally use for doing studies, and this one uses only some of the current structure. Couldn't we accomplish the same thing by the Legislative Finance Committee being assigned the study and then the folks that are identified here participating in the study. **REP. VICK** said we might be able to do that. **Clayton Schenke, Legislative Branch** said SB 11 from last session set up a simpler committee structure. It was meant primarily to address the permanent committees under the legislative council, so most of those bills should be going in as resolutions, then get prioritized. If it is a bill that gets passed, it won't be put in that priority list. This one is a bill because it comes under legislative finance committee which was never part of SB 11. This bill may not have an additional cost because the finance committee can be structured to do it.

REP. PETERSON said there will be minor additional costs for per diem and expenses for members of the legislature.

Closing by Sponsor:

REP. VICK said the budget we already have for the finance committee may be able to handle it.

REP. LEWIS commented that when he started as an analyst they made a manual list of every employee in every agency and calculated the benefits for every employee. By 1975 they had a very elementary system put together to try and automate it, and it has grown from there. He said he has felt they are over budgeting personal services for quite some time.

EXECUTIVE ACTION ON HB 618

REP. BUZZAS said she is concerned about precedence and how these proposals come down. **REP. VICK** asked **Clayton Schenke** to clarify why this is a bill and not a resolution. **Clayton Schenke** said it is a bill because it is being assigned to finance committee. They didn't make it a resolution on the assumption that it would not be placed under the council to reassign. The council and the finance committee are on an equal plane. **REP. BUZZAS** said she is concerned that now we have another law on the books and this seems like a one time thing. It would not be ongoing, but there is no sunset in it. **Clayton Schenke** said this is a temporary measure and it won't get caught up by the statute. It will only be for two years.

REP. KAUFMANN said if this bill passes, will the study be done or does it go into a pool of studies to be prioritized. **Clayton Schenke** said it is his understanding that the study will be done.

REP. LINDEEN apologized for causing any misunderstanding. She said Legislative Finance Committee was not one of the interim committees that was set up for that structure, it is a standing committee.

Motion/Vote: **REP. VICK** moved that **HB 613 DO PASS**. Motion carried unanimously.

{Tape : 2; Side : B}

EXECUTIVE ACTION ON HB 303

Motion: **REP. JAYNE** moved that **HB 303 DO PASS**.

Motion: **REP. JAYNE** moved that **AMENDMENT HB030301 TO HB 303 BE ADOPTED**.

Discussion:

REP. JAYNE explained the amendment HB030301, **EXHIBIT (aph57b04)** and two pages of information on HB 303, **EXHIBIT (aph57b05)**. Rather than transferring \$375,000 in 2002, the transfer is \$28,000. In 2003, rather than transferring \$375,000, the transfer is \$370,000.

REP. MCCANN asked if it is still general fund. **REP. JAYNE** said it is.

REP. BUZZAS asked what the rationale is. **REP. JAYNE** referred to the exhibit. There are fees accumulating in the account that amount to \$422,000. The annual cost is \$450,000, and there is a resulting need of \$28,000.

REP. LEWIS asked if all the money had been appropriated in HB 2 or if it is still to be appropriated. **REP. BUZZAS** said it was not appropriated. **REP. LEWIS** said they originally discussed putting it in HB 3 because they owe them some money, about \$144,000. He asked if they could appropriate \$80,000 from the fee account for 2002 and 2003 in this bill. If we just put the fees in the bill, there would be \$144,000 into HB 3 and \$80,000 a year in this bill, unless we have already appropriated. **REP. BUZZAS** said she did not think they already have appropriated that. She asked **Legislative Staffer Taryn Purdy** to comment. **Taryn Purdy** said the money in HB 2 is for the fees that are anticipated in the next year, plus there is some that seems to be anticipated this year. However HB 3 is the vehicle in which authority would be provided to spend the fees in this year, as it currently stands. It is not appropriated at this moment.

REP. MCCANN asked how much money exists at this point. **Taryn Purdy** said there is approximately \$130,000 accumulated in the account. There is still some time left in this fiscal year for additional funds to accumulate. **REP. MCCANN** asked if it would be appropriate to estimate there will be approximately \$300,000 available by the end of the next biennium that they will have available to them to spend on existing revenues that have built up as well as existing anticipated revenues that will come in through the course of the biennium. **Taryn Purdy** said the estimate coming in during any year was approximately \$80,000 and you are dealing with a four year period. It would be around \$240,000 plus.

Substitute Motion: **REP. LEWIS** made a substitute motion that conceptual Amendment on **HB 303 BE ADOPTED**.

REP. LEWIS said we need to put spending authority for \$80,000 a year of fees for 2002 and 2003 into HB 303 because it is not in HB 2 at this point. Is that correct? **Taryn Purdy** said the funds are not in HB 2. What came out of subcommittee was approximately \$150,000 in the first year in fees, and in the second year the anticipated fees are \$80,000. HB 3 is another possibility, if the committee or the legislature wish to provide authority for those fees to be spent in this year. **REP. LEWIS** said he thought we would put the \$80,000 a year in revenue for 2002-2003 in this bill and then when HB 3 comes through, we would appropriate from there, but the balance would be what is in there right now. Would that make sense? **Taryn Purdy** said you would need an

amendment to HB 2 to remove the authority for the fees that is currently in HB 2 that is \$150,000 in the first year and \$80,000 in the second year. **REP. LEWIS** withdrew his substitute motion as the fees are all taken care of in HB 2.

REP. FISHER asked where the money is coming from in the first place. **REP. VICK** said this bill deals with general fund. **REP. FISHER** asked if it is presently appropriated. **Taryn Purdy** said the way the bill was originally written, it would have transferred general fund into this state special revenue account, but not provided an appropriation for that money, once it was there. What this amendment does is eliminate the transfer and makes a straight appropriation of general fund. **REP. FISHER** asked where the fees come from. **REP. VICK** said the fees are from a \$9 filing fee when you file for divorce. **REP. FISHER** said that means there will there be 9,000 filings for divorce.

REP. JAYNE said this is a good amendment and has better amounts than the bill does. She urged support.

Motion/Vote: **REP. JAYNE** moved that **AMENDMENT HB030301 TO HB 303 BE ADOPTED**. Motion failed 8-10 with Brueggeman, Buzzas, Callahan, Jayne, Kaufmann, Lindeen, McCann and Tropila voting aye.

REP. KAUFMANN asked if the passage of HB 615 earlier today would have freed up about this amount of general fund. **REP. LEWIS** said we had already spent that money in subcommittee. That was why we had to do the committee bill. **REP. -----** noted that this morning we freed up \$75,000 in HB 397. **REP. KAUFMANN** said we should consider this money has been freed up to support this important program. Actions of this committee over the past few weeks have freed up some general fund money, this is a small amount for women who are without legal support to remove themselves from dangerous situations.

REP. PATTISON said **REP. KASTEN** talked about consolidating some of the county attorneys on this workload. Is that something you would consider? **REP. JAYNE** said she did consider that but did not include that in an amendment. There was not sufficient time to do a bill by the time she did consider it. It is something to look at, the county attorneys would have to be contacted, but nothing has been done on that so far.

Motion: **REP. TROPILA** moved that **CONCEPTUAL AMENDMENT TO HB 303 BE ADOPTED**.

REP. TROPILA had a conceptual amendment to move the \$75,000 from HB 397 to HB 303 for fiscal year 2002 instead of the amounts in

the amendment that was defeated, HB030301. The conceptual amendment would say "appropriated \$75,000" instead of "appropriated \$28,000".

REP. VICK said there was no money in that bill. There was a fiscal note of \$150,000, but no money.

REP. JAYNE said she had no objection to the amendment.

Motion/Vote: **REP. TROPILA** moved that **TROPILA'S CONCEPTUAL AMENDMENT TO HB 303 BE ADOPTED**. Motion failed 9-9 with Buzzas, Callahan, Haines, Jayne, Kaufmann, Lindeen, McCann, Pattison, and Tropila voting aye.

REP. JAYNE said these funds would be used for indigent domestic violence victims to get civil legal assistance. She urged consideration.

Motion/Vote: **REP. JAYNE** moved that **HB 303 DO PASS**. Motion failed 8-10 with Buzzas, Callahan, Haines, Jayne, Kaufmann, Lindeen, Pattison, and Tropila voting aye.

Substitute Motion/Vote: **REP. FISHER** made a substitute motion that **HB 303 BE TABLED**. Substitute motion carried 10-8 with Buzzas, Callahan, Haines, Jayne, Kaufmann, Lindeen, Pattison, and Tropila voting no.

ADJOURNMENT

Adjournment: 5:00 P.M.

REP. STEVE VICK, Chairman

LINDA KEIM, Transcription Secretary

SV/PB/LK Transcribed by Linda Keim

EXHIBIT (aph57bad)